

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELF-MAN, LLC,

Plaintiff,

v.

RYAN LAMBERSON,

Defendant.

NO: 2:13-CV-0395-TOR

ORDER GRANTING STIPULATED
MOTION TO UNSEAL

BEFORE THE COURT are the Washington Center for Justice's Motion to Intervene (ECF No. 114), the Center for Justice's Motion to Unseal (ECF No. 116), and the Parties Stipulated Motion Regarding Motions to Intervene and Unseal (ECF No. 132). The motions were submitted for hearing without a request for oral argument.

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1 The Center for Justice first filed the Motion to Intervene (ECF No. 114) and
2 Motion to Unseal (ECF No. 116) in late October 2017. Defendant Lamberson filed
3 a memorandum in support of the Center for Justice's Motion to Unseal soon
4 thereafter. ECF Nos. 118; 119. Ms. VanderMay (as past counsel for Plaintiff) and
5 Plaintiff Elf-Man filed their initial response objecting to the motions and asking for
6 additional time to respond. ECF Nos. 121; 122. After the Court granted a brief
7 extension of time to respond, Ms. VanderMay submitted a final response seeking
8 to correct the record, but ultimately did not oppose the motions. ECF No. 130.
9 Soon thereafter, Plaintiff Elf-Man and the Center for Justice submitted a stipulated
10 Motion to Unseal, where Elf-Man has conceded to the unsealing of all six of the
11 sought documents except for certain financial terms in one of the documents. *See*
12 ECF No. 132.

13 Having reviewed the motions, the completed briefing and the files therein,
14 the Court is fully informed. Pursuant to the Parties' stipulation and for good cause
15 shown, the Motion to Intervene (ECF No. 114) and the Stipulated Motion to
16 Unseal (ECF No 132) are **GRANTED** in accordance with the limitation placed by
17 the Parties in ECF No. 132.

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 2 1. Intervenor Center for Justice's ("CFJ") Motion to Intervene for the
3 Limited Purpose of Challenging the Sealing of Court Records, ECF No.
4 114, is **GRANTED**.
- 5 2. The Parties Stipulated Motion Regarding Motion to Intervene and Unseal
6 (ECF No. 132) is **GRANTED** in accordance with the limitations
7 specified. Intervenor CFJ's Motion to Unseal Exhibits, ECF No. 116, is
8 **GRANTED IN PART**, as explained below:
- 9 a. The Court **DENIES** CFJ's request to unseal ECF No. 40-1: Exhibit 1
10 to the Declaration of Christopher J. Lynch in Opposition to Elf-Man's
11 Motion to Dismiss. The Court finds that this document contains
12 sensitive commercial financial information that could harm Elf-Man
13 (and others) if made public. The Court, therefore, finds good cause to
14 keep this document under seal. The non-sensitive portions of ECF
15 No. 40-1 have now been made part of the public record and are filed
16 at ECF No. 132-1.
- 17 b. The Court **GRANTS** CFJ's request to unseal the following
18 documents: ECF Nos. 40-2, 44, 52, 66, and 85. The Clerk of Court
19 shall **unseal** ECF Nos. 40-2, 44, 52, 66, and 85 and thereby make
20 them part of the public record.

1 3. The parties shall bear their own costs in connection with all matters
2 relating to the Motion to Intervene for the Limited Purpose of
3 Challenging the Sealing of Court Records, ECF No. 114 and the Motion
4 to Unseal Exhibits, ECF No. 116.

5 The District Court Executive is hereby directed to enter this Order, furnish a
6 copy to the parties, and re-close the file.

7 **DATED** February 5, 2018.



Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge